

The amendment was adopted by the following vote:

Yeas—18

Aikin	Moffett
Bradshaw	Owen
Colson	Phillips
Hardeman	Roberts
Hazlewood	Rogers
Krueger	Secrest
Lane	Smith
Lock	Willis
Martin	Wood

Nays—5

Gonzalez	Kazen
Herring	Reagan
Hudson	

Absent

Ashley	Moore
Bracewell	Parkhouse
Fly	Weinert
Fuller	

Absent—Excused

Ratliff

Senator Gonzalez offered the following amendment to the bill:

Amend H. B. 231, Sec. 7, Para. 2, to read as follows:

The Board must conduct such hearings in a manner open to the public and such hearing shall be final on behalf of the Board.

The amendment failed of adoption by the following vote (not receiving two-thirds vote of the Members present):

Yeas—14

Ashley	Phillips
Bradshaw	Reagan
Gonzalez	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Owen	Willis

Nays—10

Aikin	Lane
Colson	Lock
Hardeman	Martin
Hazlewood	Moffett
Krueger	Wood

Absent

Bracewell	Moore
Fly	Parkhouse
Fuller	Weinert

Absent—Excused

Ratliff

The bill as amended was then finally passed.

Record of Votes

Senators Kazen, Herring, Hudson, Gonzalez, Owen, Hardeman, Ashley, Smith and Reagan asked to be recorded as voting "Nay" on the final passage of H. B. No. 231.

Adjournment

On motion of Senator Moffett the Senate as 2:25 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, May 6, 1957.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to adjourn.

SIXTY-SECOND DAY

(Monday, May 6, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 3, 1957, was dispensed with and the Journal was approved.

Report of Standing Committee

Senator Herring submitted the following report:

Austin, Texas,
May 1, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred H. B. No. 493, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senate Resolution 473

Senator Hudson offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Hon. Myrlin O. Johnson; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privilege of the floor for the day.

The resolution was read and was adopted.

Senate Concurrent Resolution 80

Senator Aikin offered the following resolution:

S. C. R. No. 80, Creating Committee to study Public School Systems of Texas.

Whereas, The Gilmer-Aikin Program, placed into operation in 1949, has provided material improvements in the educational opportunities of Texas boys and girls; but

Whereas, The scholastic population of the State of Texas is now increasing at an unprecedented rate; and

Whereas, The demands for an enlightened citizenship to meet and solve the problems created through the complex developments of this atomic and rapidly expanding technological age places a tremendous responsibility upon the public schools; and

Whereas, At a time when thousands of additional teachers are needed to teach additional pupils enroll-

ing in the public schools, thousands of experienced teachers are leaving the profession; and

Whereas, Despite the most valiant efforts by local citizens to provide the funds needed to construct schoolhouse facilities there still exists financially embarrassed districts which are unable to cope with the unusual building emergency thrust upon them; and

Whereas, The future of the boys and girls of this State and the welfare of this State and Nation depend upon the solution of these dire and pressing problems; and

Whereas, It is imperative to provide a long-range public education program that will meet the demands of the citizenship of this State;

Therefore, be it Resolved, by the Senate, the House of Representatives concurring, that a committee composed of twenty-four (24) members be immediately constituted to coordinate and complete a comprehensive study involving the citizenship of each and every county of this State; that said commission shall survey the needs of the public school system as related to curriculum, teacher supply, classroom facilities, and other related areas including adequate financing of the public school program; and that the Texas Education Agency shall work cooperatively with the commission to provide professional assistance, clerical help, and necessary printing.

Be it Further Resolved, That the Speaker of the House of Representatives shall appoint three (3) members of the House of Representatives and three (3) additional members of said committee, the Lt. Governor shall appoint three (3) members of the Senate and three (3) additional members of the committee, the Governor shall appoint six (6) members of said committee and the State Board of Education shall appoint six (6) members of the committee and that those members of the House of Representatives and Senate who serve on the committee shall receive living and travel expenses while away from home in attendance of meetings of said committee, such travel and expense to be paid from the Contingent Fund of the 55th Legislature; and

Be it Further Resolved, that said committee is empowered to effect its own organization and adopt such procedure and operate as may be necessary to carry out fully the purposes herein described and shall make such

recommendations to the Governor, the 56th Legislature, and the people of the State as it may determine the facts and conditions to warrant. Copies of each and every recommendation shall be filed with the Governor, Speaker of the House of Representatives, Lt. Governor, given to the press, and all statewide educational organizations within the State.

The resolution was read and was referred to the Committee on Education.

Senate Resolution 474

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 5th and 6th grade classes of the Reilly Elementary School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Maxine Key; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 47, Granting Texas Power and Light Company permission to sue the State of Texas.

H. C. R. No. 48, Granting the Bi-Stone Fuel Company permission to sue the State of Texas.

H. C. R. No. 63, Granting permission to Houston Turner to bring suit against the State of Texas.

H. C. R. No. 91, Granting permission to C. W. Shores to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 96, Granting permission to Ethel G. Chapin to bring suit against the State of Texas.

H. C. R. No. 97, Granting Center Land Company, Inc., permission to sue the State of Texas.

H. B. No. 620, A bill to be entitled "An Act authorizing the Texas Highway Department to expend money for the purchase of right-of-ways and right-of-way easement for State Designated Highways under certain conditions; providing limitations; providing for contributions from counties, cities, and other political subdivisions of the State authorized to purchase right-of-ways; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 81

Senator Parkhouse offered the following resolution:

S. C. R. No. 81, Memorializing Congress relative to Procedure of Amending Constitution of United States.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Congress of the United States of America be, and it hereby is, requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

"ARTICLE —

"Section 1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States shall call a convention for proposing amendments; or the legislature of any State, whenever two-thirds of each house shall deem it necessary, may propose amendments to this Constitution by transmitting to the Secretary of State of the United States and to the secretary of state of each of the several States a certified copy of the resolution proposing the amendment, which

shall be deemed submitted to the several States for ratification when certified copies of resolutions of the legislatures of any twelve of the several States by two-thirds of each house shall have been so transmitted concurring in the proposal of such amendment; which, in any case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States; provided, That no State, without its consent, shall be deprived of its equal suffrage in the Senate.

"Section 2. The act of proposal, concurrence in a proposal, or ratification of an amendment, shall not be revocable.

"Section 3. A proposal of an amendment by a State shall be inoperative unless it shall have been so concurred in within seven years from the date of proposal. A proposed amendment shall be inoperative unless it shall have been so ratified within fifteen years from the date of its submission, or shorter period as may be prescribed in the resolution proposing the amendment.

Section 4. Controversies respecting the validity of an amendment shall be justiciable and shall be determined by the exercise of the judicial power of the United States.

"Section 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

and be it further

Resolved, That the Congress of the United States, be and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several states; and be it further

Resolved, That the Secretary of State of the State of Texas be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives of the Congress of the United States, and one copy to the Secretary of State of each of the other states.

The resolution was read and was referred to the Committee on State Affairs.

Senate Concurrent Resolution 82

Senator Parkhouse offered the following resolution:

S. C. R. No. 82, Memorializing Congress to propose amendment to the Constitution relative to Election of the President and Vice President.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Congress of the United States of America be, and it hereby is, requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

"ARTICLE —

"Section 1. Two of each State's electors of President and Vice President shall be elected by the people thereof; and each State's remaining electors shall be elected by the people in single-member districts established by the legislature thereof, such districts to be composed of contiguous and compact territory and containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. If the Legislature of any State fails to establish such districts, the Congress may establish them upon petition of not less than one-fifth of the members of the legislature of such state. The electors in each State who elect electors of President and Vice President shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"Section 2. If no person voted for as President or Vice President has a majority of the whole number of electors chosen, then from the three persons having the highest numbers on the lists of those voted for as President and Vice President, the Senate and the House of Representatives, assembled and voting as one body, shall choose immediately from the respective lists the President, and then the Vice President, or either, as the case may be; a quorum for these purposes shall consist of three-fourths of the whole number of the Senators and Representatives, and the person receiving the greatest number of votes for President and for Vice-President on the respective roll calls, if such numbers are a majority of those pres-

ent and voting, shall be the President and the Vice President. If additional roll calls be necessary for either office the choice shall be between the two persons having the highest numbers on the first roll calls for President and Vice President. But no person ineligible to the office of President shall be eligible to the office of Vice President.

"Section 3. The Congress may by law provide for the case of the death, or inability to discharge the powers and duties of the said offices, of any of the persons from whom the Senate and House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"Section 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress." and be it further

Resolved, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several states; and be it further

Resolved, That the Secretary of State of the State of Texas be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives of the Congress of the United States, and one copy to the Secretary of State of each of the other states.

The resolution was read and was referred to the Committee on State Affairs.

Senate Concurrent Resolution 83

Senator Parkhouse offered the following resolution:

S. C. R. No. 83, Memorializing Congress to propose an amendment to the Constitution relative to balancing the budget.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Congress of the United States of America be, and it hereby

is, requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

"ARTICLE —

"Section 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimates of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimates of receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimated receipts, it shall not adjourn for more than three days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding one year each.

"Section 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three fourths of the several States within seven years from the date of its submission to the States by the Congress." and be it further

Resolved, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three fourths of the several states, and be it further

Resolved, that the Secretary of State of the State of Texas be, and

he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives of the Congress of the United States, and one copy to the Secretary of State of each of the other states.

The resolution was read and was referred to the committee on State Affairs.

Senate Concurrent Resolution 84

Senator Moffett offered the following resolution:

S. C. R. No. 84, Relating to 75th Anniversary Celebration of Wichita County.

Whereas, The year 1957 marks the 75th Anniversary of the organization of Wichita County which was created by legislative act in 1858 and named for the Wichita tribe of Indians—native aborigines of the area—but which, because of the delay resulting from the Civil War and its effect on the State, was not organized for many years; and

Whereas, Wichita County's pioneer atmosphere lingered longer and was more colorful than that of many other Texas counties due to the fact that the county is a border county touching what was once known as the Oklahoma Territory, where roving Indian tribes were concentrated from all parts of the Southern Plains and the Southern Mississippi Valley, and

Whereas, The great migration of pioneer settlers from the eastern part of Texas and also from other states continually pushed the frontier further and further into the broad expanses of western Texas, and

Whereas, A substantial number of these home seekers in a new land saw fit to terminate their westward march and become citizens of Wichita County and Wichita Falls, thus contributing to the remarkable growth of that city from a population of 2,480 in 1900 to considerably more than 100,000 in 1957, and

Whereas, This astonishing population growth has been traceable in part to the remarkable foresight, ingenuity, and resourcefulness of leading citizens of Wichita Falls, giving rise to the slogan that Wichita Falls is the "City That Faith Built," and

Whereas, The City of Wichita Falls is also called the "Independent Oil Capital of the World" because it con-

tains the greatest number of independent oil producers of any city in the United States, and

Whereas, The Federal Government saw fit to locate one of the greatest Air Force installations in the nation at Wichita Falls because of the various advantages which would contribute to the successful operation of this Air Force installation, which was named Sheppard Air Force Base in honor of one of the State's most outstanding public officials, the late United States Senator Morris Sheppard, and

Whereas, The citizens of Wichita Falls have also shown a commendable spirit of progress and an awareness of the value of culture by contributing to the establishment of Midwestern University, an outstanding educational institution which serves a broad area of which Wichita Falls is the center, and

Whereas, In commemoration of seventy-five years of progress the people of Wichita Falls and Wichita County are holding a Diamond Jubilee Celebration on May 11 through May 18, 1957, and

Whereas, Citizens from the entire State of Texas and Southern Oklahoma have been extended an invitation to attend the said celebration, and a great number of them are expected to attend, and

Whereas, All members of the Legislature of the State of Texas and the Governor and other public officials are cordially invited to attend this celebration; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the days of May 11 through May 18, 1957, be and are hereby designated as "Wichita County Diamond Jubilee Days," and be it further

Resolved, That the Texas Legislature extend its congratulations and best wishes to Wichita County and the city of Wichita Falls for a successful Diamond Jubilee Celebration and for their continued progress and development in the true American way, and be it further

Resolved, That an official copy of this resolution be sent to the Honorable Linton Estes, President of the Wichita County Diamond Jubilee, and to the County Judge of Wichita County, and to the Mayor of the City of Wichita Falls, Texas.

The resolution was read.

On motion of Senator Moffett and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 476

Senator Smith offered the following resolution:

Whereas, The City of Austin today, May 6th, has a distinguished visitor, a tall, slow-talking Virginian, Randolph Scott; and

Whereas, Mr. Scott is in the city for a personal appearance and a premier showing of his latest motion picture, "The Tall T"; now, therefore, be it

Resolved by the Senate, That this outstanding and successful star of many Western movies so dear to the hearts of Texans be, and is hereby, invited to appear and be introduced to the Members of the Senate.

The resolution was read and was adopted.

The President announced the appointment of Senators Smith, Herring and Moffett to escort Mr. Scott to the President's Rostrum.

The President presented Senator Moffett and he introduced Mr. Scott to the Senate and presented a copy of the enrolled resolution requesting him to address the Senate.

Mr. Scott then addressed the Senate expressing his appreciation for the honor bestowed on him.

Communication from Legislative Audit Committee

The following communication received from the Legislative Audit Committee was read and was referred to the Committee on Nominations:

Austin, Texas,
May 6, 1957.

To the Senate of the 55th Legislature of the State of Texas.

This is to certify that the Legislative Audit Committee, under the provisions of Senate Bill No. 27 as passed by the 49th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the term expiring February 15th, 1959.

It is respectfully requested that

Senate confirmation be given this appointment.

Legislative Audit Committee,

By BEN RAMSEY

Lieutenant Governor

WAGONNER CARR

Speaker of the House of

Representatives

W. S. FLY

Chairman of the Senate Finance Committee

WARDLOW LANE

Chairman of the Senate Committee on State Affairs

MAX C. SMITH

Chairman of the House Appropriations Committee

FRATES SEELIGSON

Chairman of the House Committee on Revenue and Taxation

Senate Resolution 477

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. Harry North of El Paso, Mr. C. O. Allen of San Antonio and Mr. Charles Boyer of Los Angeles, California; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the guests to the Members of the Senate.

Senate Bill 294 with House Amendments

Senator Martin called S. B. No. 294 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 473 on Second Reading

On motion of Senator Phillips and

by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 473, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas, in consideration of the payment to it of the appraised value, to convey to the Trustees of the Sealy-Smith Foundation certain land in the City of Galveston, Texas, for the purpose of constructing thereon a psychopathic hospital; prescribing procedures and conditions for the sale of this property; making an appropriation; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 473 on Third Reading

Senator Phillips moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 473 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Gonzalez

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Bradshaw
Ashley	Colson
Bracewell	Fly

Fuller	Owen
Hardeman	Parkhouse
Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Lock	Smith
Martin	Weinert
Moffett	Willis
Moore	Wood

Absent

Gonzalez

Senate Resolution 478

Senator Willis offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Girl Scout Troop No. 155 and Senior Scouts, Ninth Grade, accompanied by Mrs. F. G. St. John and Mrs. C. S. Thayer; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Willis by unanimous consent presented the Scouts and sponsors to the Members of the Senate.

Senate Resolution 479

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Hon. J. E. Connally; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate, and the privileges of the floor for today.

The resolution was read and was adopted.

Conference Committee on Senate Joint Resolution 3

The President announced the fol-

lowing as a Conference Committee on the part of the Senate on S. J. R. No. 3:

Senators Fuller, Moffett, Hazlewood, Reagan and Bracewell.

Messages from the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,
May 2, 1957.

To the Senate of the Fifty-fifth Legislature:

I ask the advice, consent and confirmation on the Senate with respect to the following appointments:

To be Commission of Labor Statistics for a two year term to expire January 31, 1959:

M. B. Morgan of Austin, Travis County.

To be Adjutant General:

Major General Kearie L. Berry of Denton, Denton County.

To be Assistant Adjutant General: Brigadier General William H. Martin of Waco, McLennan County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Austin, Texas,
May 2, 1957.

To the Senate of the Fifty-fifth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Branch Pilot for the Port of Galveston and Texas City for two year term to expire April 15, 1959:

Ernest E. Lance of Galveston, Galveston County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
May 2, 1957.

To the Members of the Fifty-fifth Legislature:

In accordance with the provisions of Senate Concurrent Resolution No.

79, I am returning herewith Senate Bill No. 303.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. B. No. 921, To Committee on Water and Conservation.

H. J. R. No. 37, To Committee on Constitutional Amendments.

H. B. No. 877, To Committee on Counties, Cities and Towns.

H. B. No. 812, To Committee on Finance.

H. B. No. 930, To Committee on Counties, Cities and Towns.

H. B. No. 923, To Committee on Water and Conservation.

H. B. No. 483, To Committee on State Affairs.

H. B. No. 469, To Committee on State Affairs.

H. B. No. 439, To Committee on Public Health.

H. B. No. 473, To Committee on State Affairs.

H. B. No. 347, To Committee on State Affairs.

H. B. No. 301, To Committee on State Affairs.

H. B. No. 255, To Committee on Banking.

H. B. No. 194, To Committee on Public Health.

H. B. No. 547, To Committee on State Affairs.

H. C. R. No. 48, To Committee on Jurisprudence.

H. C. R. No. 47, To Committee on Jurisprudence.

H. C. R. No. 63, To Committee on Jurisprudence.

H. C. R. No. 97, To Committee on Jurisprudence.

H. C. R. No. 91, To Committee on Jurisprudence.

H. C. R. No. 96, To Committee on Jurisprudence.

H. B. No. 620, To Committee on State Affairs.

Senate Concurrent Resolution 85

Senator Colson offered the following resolution:

S. C. R. No. 85, Recalling S. B. No. 293 from the Governor.

Whereas, Senate Bill No. 293 was recently passed by the Senate and the House of Representatives and is now on the desk of the Governor; and

Whereas, House Bill No. 553 is one and the same bill; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Governor be, and is hereby requested to return Senate Bill No. 293 to the Senate, and that the President of the Senate and the Speaker of the House be authorized to withdraw their signatures therefrom.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. C. R. No. 80, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senate Resolution 480

Senator Lane offered the following resolution:

Whereas, We have as visitors in the Senate today Mark Hardeman and Bryan Hardeman, together with their mother, Mrs. Dorsey B. Hardeman; and

Whereas, It is the desire of the Senate to utilize the services of these young sons of our colleague during their visit to the Senate, by designating them as honorary pages of the Senate; now, therefore, be it

Resolved, By the Senate of Texas, that Mark Hardeman and Bryan Hardeman, both of San Angelo, Texas, be and they are hereby designated honorary pages of the Senate.

The resolution was read and was adopted.

Senator Lane by unanimous consent presented Mrs. Hardeman and Mark and Bryan Hardeman to the Members of the Senate.

Senate Resolution 481

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Joe Mueller and daughter Anne of Midland, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the guests to the Members of the Senate.

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 923, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 923 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 923 was ordered not printed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 325 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 368 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 667 by viva voce vote.

The House has adopted the Conference Committee Report on Senate Bill No. 237 by a vote of 130 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 482

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate Mrs. Kantz's Social Studies Class of Lamar Junior High School in Austin, Travis County, Texas, accompanied by their sponsor, Mrs. W. W. Schumacher; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Mrs. Schumacher to the Members of the Senate.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 476, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 84, Relating to the 75th Anniversary celebration of Wichita County.

S. C. R. No. 45, Granting Marguerite Horton Boscamp, a resident of Corpus Christi, Nueces County, Texas, permission to sue the state.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 123 on Third Reading

Senator Bradshaw asked unanimous consent to suspend the regular order of business and take up S. B. No. 123 for consideration at this time.

There was objection.

Senator Bradshaw then moved to suspend the regular order of business and take up S. B. No. 123 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Kazen
Ashley	Krueger
Bracewell	Lane
Bradshaw	Lock
Fly	Martin
Hardeman	Moffett
Hazlewood	Moore

Parkhouse	Roberts
Phillips	Smith
Ratliff	Weinert
Reagan	Wood

Nays—7

Fuller	Rogers
Herring	Secrest
Hudson	Willis
Owen	

Absent

Colson	Gonzalez
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The President laid before the Senate on its third reading and final passage.

S. B. No. 123, A bill to be entitled "An Act to amend Article 5.26 of the Texas Insurance Code; providing for maximum rate of premium to be promulgated by the Board of Insurance Commissioners as to certain kinds of insurance, and deviations therefrom; etc.; and declaring an emergency."

The bill was read third time and was passed.

Record of Votes

Senators Secrest and Willis asked unanimous consent to be recorded as voting "Nay" on the final passage of S. B. No. 123.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 695, To the Committee on State Affairs.

H. B. No. 537, To the Committee on State Affairs.

H. B. No. 665, To the Committee on Transportation.

H. B. No. 566, To the Committee on State Affairs.

H. B. No. 679, To the Committee on State Affairs.

H. B. No. 698, To the Committee on State Affairs.

H. B. No. 757, To the Committee on Public Health.

H. B. No. 775, To the Committee on State Affairs.

H. B. No. 920, To the Committee on Counties, Cities and Towns.

H. B. No. 913, To the Committee on Public Health.

H. B. 832, To the Committee on State Affairs.

H. B. No. 821, To the Committee on State Affairs.

H. B. No. 169, To the Committee on State Affairs.

H. B. No. 62, To the Committee on State Affairs.

H. B. No. 103, To the Committee on State Affairs.

Reports of Standing Committees

Senator Martin by unanimous consent submitted the following reports:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 486, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that committee substitute therefor do pass and be printed.

MARTIN, Chairman.

C. S. H. B. No. 486 was read first time.

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 604, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that committee substitute therefor do pass and be printed.

MARTIN, Chairman.

C. S. H. B. No. 604 was read first time.

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 887, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that committee substitute therefor do pass and be printed.

MARTIN, Chairman.

C. S. H. B. No. 887 was read first time.

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 521, have had the same under

consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senate Bill 398 with
House Amendments

Senator Reagan called S. B. No. 398 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Reagan moved that the Senate concur in the House amendments.

The motion prevailed.

Adjournment

On motion of Senator Weinert the Senate at 12:33 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of

T. Z. (Zeb) Reed

Senator Rogers offered the following resolution:

(Senate Resolution 475)

Whereas, In the passing of T. Z. (Zeb) Reed on March 27, 1957, in Lockney, Texas, at the age of ninety-one, Floyd County lost one of its most beloved and respected citizens; and

Whereas, Mr. Reed was an important member of his community for more than forty years, having served as mayor, county commissioner and justice of the peace at various times; and

Whereas, Mr. Reed was a pioneer Baptist preacher and a Sunday School teacher for more than fifty years, and a member of the Masonic Lodge at Lockney for almost fifty years; and

Whereas, Zeb Reed was born March 29, 1866, near Jackson, Mississippi, and came to Texas as a young man, settling first in Swisher County in 1892 and having been a resident of Floyd County since 1907, where he remained a respected and beloved citizen until his death; and

Whereas, He is survived by his wife and one daughter, Mrs. E. M. Lawson of Lockney, three grandchildren and five great-grandchildren; and

Whereas, It is the desire of the Senate to acknowledge the passing of this fine citizen and civic leader and to express its sympathy to his family; now, therefore, be it

Resolved, by the Senate of the State of Texas, That we do hereby acknowledge the passing of Mr. Zeb Reed and express our sympathy to his family; and be it further

Resolved, That copies of this resolution, under the seal of the Senate, be mailed to his surviving wife and daughter. .

The resolution was read and was adopted by a rising vote of the Senate.